IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.S.RADHAKRISHNAN

WEDNESDAY, THE 6TH DECEMBER 2006 / 15TH AGRAHAYANA 1928

C.R.P.No. 1232 of 1995()

AGAINST THE ORDER DATED 03/03/1992 IN E.P.NO.287/91 IN OS.163/1980 of PRL.SUB COURT,THRISSUR

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PETITIONER/PETITIONER/DECREE HOLDER:

THRISSUR KURI SYNDICATE,
HIGH ROAD, THRISSUR,
REPRESENTED BY CHAIRMAN P.D.JOSE,
S/o. P.D.DEVASSY, THRISSUR VILLAGE AND TALUK,
THRISSUR (DT.)

BY ADV. SRI.PHILIP ANTONY CHACKO
SRI.P.M.SEBASTIAN

RESPONDENTS/RESPONDENTS/JUDGMENT DEBTORS:

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1. ALI, S/o. ADIYATH THAZHATHETHIL MOIDU

2. VEERAN, S/o. ADIYATH THAZHATHETHIL MOIDU

(3). AISHAKUTTY UMMA, W/o. ADIYATH THAZHATHETHIL VEERA.
(DIED. L.R IMPLEADED.)

(ALL THE ABOVE THREE RESPONDENTS ARE RESIDING AT CHIRAMANAGADU VILLAGE, AND DESOM, THALAPPILLY TALUK, THRISSUR).

*4. MOIDUKUTTY, S/o. ADIYATH THAZATHE VEETTIL VEERA,
CHIRAMANAGADU, THALAPPILLY TALUK, THRISSUR DISTRICT.

* (IMPLEADED AS ADDITIONAL 4TH RESPONDENT AS PER ORDER DATED 23/8/2006 ON I.A.83/2006)

R1 & R2 BY ADV. SRI.K.P.DANDAPANI

THIS CIVIL REVISION PETITION HAVING BEEN FINALLY HEARD ON 06/12/2006, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.S.RADHAKRISHNAN,J

C.R.P.No.1232 OF 1995

DATED THIS THE 6TH DAY OF DECEMBER 2006

ORDER

Counsel appearing for the petitioner (decree holder) submitted that executing court has committed an error in recording full satisfaction of the decree on the payment of Rs.138/- by respondents. Statement filed on 15.1.1998 by the counsel for the petitioner indicated an amount of Rs.6539.89 is due from the judgment debtor then I am not in a position to know how on payment of Rs. 138/-, the matter has been settled, especially in the light of the statement dated 15-1-1998. Therefore, I set aside the order passed by the executing court and direct the court below to reconsider the application and pass orders. Executing court would pass orders within a period of three months from the date of receipt of a copy of the order.

K.S.RADHAKRISHNAN,JUDGE

dvs